CSOS PRESENTATION

J WASSERMAN



Community Schemes Ombud Service

LEGISLATIVE PROVISIONS



LEGISLATION

- Community Schemes Ombud Service Act,2011
- Sectional Titles Schemes Management Act, 2011
- Sectional Titles Act, 1986
- Housing Development Schemes for Retired Persons Act, 1988
- Share Blocks Control Act, 1980
- South African Co-operatives Act, 2005
- Companies Act, 2008



WHO IS CSOS?

- A **National Public Entity** established in terms of the CSOS Act;
- It has a key function of regulating the conduct of parties within community schemes;
- An institution of the National Department of Human Settlements;
- It is governed by a Board of Directors who is appointed by the Minister;

CSOS MANDATE

SECTION 4 OF CSOS ACT

- Develop and provide an **alternative dispute resolution service** for community schemes that is cost effective;
- Provide **training & general education** on rights and obligations in community schemes- conciliators, adjudicators, trustees, owners, occupiers. Managing agents and any other person the CSOS deem necessary;
- Take over and **quality control**, provide public access to all sectional titles and other community scheme governance documentation;
- Promote and monitor **good governance** of community schemes;

AREA OF FOCUS & DUTIES



AREAS OF FOCUS

- Registration of all Community Schemes - Sec 59(a)(iii) & Reg 18(8);
- Lodging of Annual Returns - Sec 59(a) CSOS Act;
- Section 6(9) resolutions in terms of the STMS Act;
- Section 29(1)(c) of CSOS Act in terms of Waiver Applications;
- Section 10 of the CSOS Act Compliance Certificates for approved Management and Conduct Rules
- To provide training & general education on rights and obligations in community schemes- conciliators, adjudicators, trustees, owners, occupiers. Managing agents and any other persons the CSOS deem necessary;

WHAT IS A COMMUNITY SCHEME?



WHAT TYPE OF SCHEMES?

- In terms of Section 1 of CSOS Act, the term “community scheme” refers to any scheme or arrangement where there is shared use of and responsibility for parts of land and buildings, including but not limited to:

- Sectional titles development schemes
- Share block companies
- Home or property owners' associations
- Housing schemes for retired persons
- Housing co-operatives

APPLICABLE PRACTISE DIRECTIVES



PRACTISE DIRECTIVES

- CURRENT:
- PD on waiver of levies and fees
- PD on amendment of rules
- PD on special and unanimous resolution
- PD on registration of Community Schemes
- PD on annual returns
- PD on opening of ST bank account
- PD on payment of levies and fees



APPLICABLE CSOS FORMS



CSOS FORMS

• CS Registration	CS1
• Amendment of Particulars	CS1A
• Waiver(individual)	CS3A
• Waiver(cs)	CS3B
• Resolutions (s & u)	ST1
• Amendment of Rules	B
• Annual Returns	CS2
• Access to Information	CSR
• Dispute Resolution Form	ADR

APPLICABLE EMAIL ADDRESSES



ADDITIONAL INFORMATION

- **RELEVANT INBOXES**:

- The Notice of Amendment of Rules / Section 10(5 (a) Certificate - sectionaltitle@csos.og.za
- Application for special or unanimous resolution - sectionaltitle@csos.rog.za
- Application to access to information - sectionaltitle@csos.rog.za
- Waiver application – waiver@csos.org.za
- Training – training@csos.org.za
- Registrations of CS – registration@csos.org.za
- Submission of Annual Returns – annualreturn@csos.org.za

DISPUTE RESOLUTION
CSOS ACT



APPLICATION FOR DISPUTE RESOLUTION

- **LODGING A COMPLAINT**

- **The first step of the dispute resolution process includes the receipt, registration and acknowledgement of a new application;**

- **Applications may be lodged in person at a regional CSOS office, online through the CSOS website, by email or post. The form can be downloaded from the CSOS website at www.csos.org.za/applicationform. Alternatively, the form can be obtained from any CSOS offices;**
- **1. GP, LIM, NW – gp-complaints@csos.org.za;**
- **2. KZN, FS, MP – kzn-complaints@csos.org.za;**
- **3. WC, NC, EC – wc-complaints@csos.org.za;**

- **The Application for Dispute Resolution Form must be completed in full and all relevant information pertaining to the dispute must be recorded accurately to eliminate any ambiguity – form only available in English;**

- **The application form must be signed by the applicant, unless signed by an applicant's authorised representative. CSOS will communicate directly with an applicant unless there is authorised representative;**

TYPES OF DISPUTES

- SECTION 39 OF THE CSOS ACT- PRAYERS FOR RELIEF
- CSOS is mandated to deal with the following category of disputes that arise in community schemes:

- Financial issues – e.g., incorrect or unreasonable levies
- Behavioral issues – e.g., noise, parking issues
- Governance issues – e.g., rules and regulations
- Meetings – in respect of the conduct of AGM’s
- Management services- code of managing agents
- Private areas and common areas - e.g., repairs and maintenance
- General and other Issues – e.g., lack of access to information

DISPUTE RESOLUTION UNITS

- In take
- Preliminary
- Conciliators
- Compliance investigators
- Adjudicators



THANK YOU

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